

REMARKS

In the Office Action mailed on December 27, 2005, the Examiner rejected claims 1, 2, 4-16 and 18-28 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,594,361 to Chaney et al. in view of U.S. Patent No. 5,708,963 to Mobley et al.

In response, Applicant has amended claims 1, 4, 6, 15, 16, 18 and 20. No new matter has been added.

Applicant has amended independent claims 1 and 15 to include credit/debit data in the IPPV data. Chaney et al. fail to teach this limitation. Instead, Chaney et al. teach a billing system in column 11, lines 16-18. That is, after the user in Chaney et al. orders the PPV movie, he/she is billed for watching in the next billing cycle. This could occur days or weeks after the user has watched the PPV. The present invention uses credit/debit data to determine if the user may watch the PPV contemporaneously with the indication from the user to watch the PPV movie. See generally, page 8, line 21 – page 9, line 6.

In addition, the Examiner equates Chaney et al.'s entitlement management messages to the claimed IPPV data. Chaney et al.'s EMM relates to what particular channels, programs or services a user may watch. See column 1, lines 61-65. Nowhere does Chaney et al. describe the EMM as relating to a credit or debit value as is presently claimed.

For at least these reasons, claims 1 and 15 are allowable over the cited art. Claims not specifically are allowable due to their dependency on an allowed base claim.

CONCLUSION

No additional fees are due. However, the Office is authorized to charge any additional fees or underpayments of fees (including fees for petitions for extensions of time) under 37 C.F.R. 1.16 and 1.17 to account number 502117. Any overpayments should be credited to the same account.

Applicant respectfully requests reconsideration of the present application, withdrawal of the rejections made in the last Office Action and the issuance of a Notice of Allowance. The Applicant's representative can be reached at the below telephone number if the Examiner has any questions.

Respectfully submitted,

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